MOTION FILED
JUN 26 1972

71-1549

FILE COPY

Supreme Court, U.S.
FILED
JUN 26 1972
E. ROBERT SEAVER, CLERK

In the

Supreme Court of the United States

No. A-1026
OCTOBER TERM, 1971

FREDERIKA BLANKNER,
Petitioner-Appellant,

vs.

CITY OF CHICAGO, A Municipal Corporation,
Respondent-Appellee.

Appeal from the Supreme Court of Illinois
Docket No. 41867

MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE AND BRIEF AMICUS CURIAE IN SUPPORT OF A PETITION FOR A WRIT OF CERTIORARI

ROMAN C. PUCINSKI, U.S. Representative
11th Congressional District of Illinois
Suite 468
Everett M. Dirksen Federal Building
219 South Dearborn Street
Chicago, Illinois 60604
Attorney Pro Se

Of Counsel:
ALLAN I. NATHAN
Applicant for Admission To
Supreme Court Bar
Suite 1231
53 West Jackson Boulevard
Chicago, Illinois 60604
(312) 922-6398

The Scheffer Press, Inc.—(312) 263-6850

IN THE

SUPREME COURT OF THE UNITED STATES

No. A-1026

OCTOBER TERM, 1971

FREDERIKA BLANKNER,

Petitioner-Appellant,

vs.

CITY OF CHICAGO, A Municipal Corporation,

Respondent-Appellee.

On Petition For Writ Of Certiorari To The Supreme Court Of Illinois

---

PRO SE MOTION FOR LEAVE TO FILE BRIEF AMICUS CURIAE AND BRIEF AMICUS CURIAE IN SUPPORT OF PETITIONER-APPELLANT'S FOR WRIT OF CERTIORARI

Roman C. Pucinski, as a private citizen of the State of Illinois, County of Cook, City of Chicago, and as United States Congressional Representative for the 11th Congressional District, hereby respectfully moves for leave to file the attached pro se brief amicus curiae in this case. The consent of the attorney for the Petitioner-Appellant

has been obtained. The consent of Respondent-Appellee has not been obtained. In support of his request movant cites the following grounds:

1. He is and has been for 14 years a member of the United States House of Representatives representing the 11th United States Congressional District of Illinois located in Chicago. His constituents represent a broad cross-section of urban residents vitally concerned with the stability of urban communities and *the instability caused in large measure by inequitable and wholesale demolition of neighborhoods under the guise of the "public good". This constituency is subject to the same* **arbitrary** use of condemnation power so evident in this case. The 11th Congressional District is located geographically less than ten miles from the site of the real property which is the subject of the instant cause. The residents of the 11th Congressional District bear many resemblances to the residents of the condemned area. Many of the residents of Movant's Congressional District are poor. Many live in congested areas and in apartment buildings. Many belong to minority, ethnic and racial groups. Many have lived in the same neighborhood all their lives, and have thereby added a measure of stability to their own local communities and the larger community of the City itself. Many of these people would have no place to go if forced to move because of condemnation proceedings. And such proceedings are a real and existing threat to the people of the 11th Congressional District. Many neighborhoods located in the 11th Congressional District could easily be classified as "slum and blighted" under an interpretation of Chapter 67½ § 91-103 (1) Illinois Revised Statutes. Based on the criterion promulgated by that Section Movant estimates that a majority of urban neighborhoods more than ten

years old could be declared slum and blighted and the proper subject of condemnation proceedings. It is a realistic demonstration of such an arbitrary and capricious result which Movant will provide if leave to file a brief amicus curiae is allowed. The concerns and interests of this section of the public is at present unrepresented by the parties and amici in the case at bar.

2. The case at bar relates to the procedural requirements prior to condemnation in urban renewal projects. Since the end of World War II, legislation has been directed toward providing the financial resources to local governments to create a wholesome urban environment and delay urban blight. This legislation, beginning with the Housing Act of 1949, is an area in which Movant is well versed and uniquely capable of providing insights. None of the other parties has attempted to utilize the intent of Congress in establishing the machinery on which the present day system of urban renewal is based as it related to this case. Further Movant is vitally concerned that the intent of Congress as evidenced in this legislation be carried out as intended by Congress. The Movant feels that these insights may well be helpful in disposition of the case at bar.

3. Movant further states that the procedures of the City of Chicago, Department of Urban Renewal discriminate against condemnees in areas which are to be designated "slum and blighted", in relation to condemnees in "conservation areas". The procedures followed in "slum and blighted" areas do not provide for personal service and hearing before an area is so designated. In the other instance, however, personal service and hearing is provided prior to *action* of the municipality. Movant will show that this distinction is without basis and deprived